

### **REMARKS**

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1–5, 7–30, 32–42 and 44–61 will be pending. By this amendment, claims 1, 7, 26, 38, 44, 50 and 51 have been amended and claims 6, 31 and 43 have been canceled. No new matter has been added.

#### **§103 Rejection of Claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51**

In Section 2 of the Office Action, claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur (U.S. Patent No. 6,621,893) in view of Wise *et al.* (U.S. Patent No. 5,884,262; hereinafter referred to as “Wise”).

Embodiments of the present invention provide a telephony system with which a consumer may obtain from a wireless carrier a terminal to which he or she can connect a phone and laptop or other computer. Through the functionality of the terminal, the consumer may then access both voice communications services and high-speed data connection services through a wireless network. *See Specification, page 4, lines 15–19.* The terminal processes voice information to generate and send a compatible signal to the wireless network and to a conventional Public Switched Telephone Network (“PSTN”) to route the voice signal to the recipient. In this way, the terminal provides the processing to complete a full duplex telephone call. *See Specification, page 4, lines 2–8.* When a user sends data using a computer, the terminal processes the data to generate appropriate IP data which it sends through the wireless network to

the Internet, where the data are then routed to the recipient. *See Specification, page 4, lines 9–13.* Thus, the terminal provides access to both conventional telephone systems for voice communications, and to the Internet for high-speed data access.

More specifically, embodiments of the present invention provide for a connection between the terminal through a wireless wide area network (“WWAN”) to a base station. Here, the WWAN may be a CDMA, GSM, or TDMA connection, among others. *See Specification, page 10, lines 3–7.* The base station is further connected to both a PSTN system and a high-speed data network such as the Internet. *See Specification, page 10, lines 9–13.* Wireless voice service thus provided is similar to a fixed wireless service provided by a WIRELESS LOCAL LOOP terminal. *See Specification, page 11, lines 9–10.* Moreover, the consumer realizes a significant advantage because using a WWAN and a base station to facilitate normal access to a PSTN also easily enables further high-speed access to the Internet.

Accordingly, in one implementation, the telephony system enables a wireless carrier to provide customers with a telephony terminal which can additionally provide high-speed Internet services through the user interface of the customer’s telephone. For example, system claim 1 as presented herein includes:

*A telephony system including a wireless local loop telephony terminal, said telephony terminal comprising:*

*a phone connection for connecting a telephone, said telephone including a user interface;*

*a network connection for connecting to a wireless wide area network,*

*wherein said wireless wide area network provides access to a conventional telephone network and high-speed data access to the Internet; and*

*a controller* connected to said phone connection and to said network connection,

wherein said controller provides a phone service for processing information for said phone connection,

wherein said controller provides a network service for processing information for said network connection, and

wherein said controller provides a network voice service for converting information to and from a network voice format;

wherein when said telephone is coupled to said wireless local loop telephony terminal using said phone connection, said telephone provides internet services using said user interface.

Accordingly, aspects of claim 1 for a telephony system include at least a wireless local loop terminal, where the wireless local loop telephony terminal includes a phone connection for connecting a telephone that includes a user interface, and a network connection for connecting to a wireless wide area network, wherein the wireless wide area network provides access to a conventional telephone network and high-speed data access to the Internet.

In contrast, Elzur discloses that a “telephone system 160 may be connected to [a] computer telephony integration adapter via a telephony interface 150.” *Elzur, column 1, lines 64 to 66*. Further, Elzur discloses simply a network interface. *See Elzur, Figures 1 and 2, element 110*. Elzur does not teach or suggest, however, a wireless local loop telephony system that includes a network connection for connecting to a wireless wide area network, where the wireless wide area network provides access to a conventional telephone network and high-speed data access to the Internet. Because Elzur does not disclose these limitations, Elzur therefore fails to address all the limitations of claim 1 as presented herein.

Wise is cited as disclosing a “telephone [that] provides Internet services using the user

interface (figs. 1-2; col. 1, line 66 – col. 2, line 48; col. 3 lines 51-60; claim 1). *Office Action*, page 5, lines 4–5. Even assuming that Wise discloses the foregoing, Wise still fails to teach or suggest a wireless local loop telephony system that includes a network connection for connecting to a wireless wide area network, where the wireless wide area network provides access to a conventional telephone network and high-speed data access to the Internet. Because Wise does not disclose these limitations, Wise, like Elzur, therefore fails to address all the limitations of claim 1 as presented herein. Therefore, Elzur and Wise, individually or in combination, fail to teach all of the limitations of claim 1.

Based on the foregoing discussion, claim 1 should therefore be allowable over Elzur and Wise. Since independent claims 26, 38, and 50–51 parallel claim 1 and recite similar limitations as recited therein, claims 26, 38, and 50–51 should also be allowable over Elzur and Wise. Further, since claims 2–4, 8, 10, 12–13, 27–29, 33, 36, 39–41, 45 and 48 depend from one of independent claims 1, 26, and 38, claims 2–4, 8, 10, 12–13, 27–29, 33, 36, 39–41, 45 and 48 should also be allowable over Elzur and Wise.

Accordingly, it is respectfully submitted that the rejection of claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is requested.

§103 Rejection of Claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61

In Section 3 of the Office Action, claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Wise as applied to claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51, and further in view of Sherlock *et al.* (U.S. Patent No. 6,882,709; hereinafter referred to as “Sherlock”).

Based on the foregoing discussion regarding independent claims 1, 26, 38 and 50–51, and since claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61 depend from one of independent claims 1, 26, 38 and 50–51, claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61 should be allowable over Elzur and Wise. Sherlock was cited merely for disclosing provisions for enhanced telephony services over a broadband network and a system for managing various enhanced telephony service offerings such as personal telephone directories and organization of incoming/outgoing voice mail, email and faxes. Therefore, since claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61 should be allowable over Elzur and Wise as discussed above, Elzur, Wise and Sherlock, individually or in combination, fail to teach or suggest all the limitations of claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61.

Accordingly, it is submitted that the rejection of claims 5, 16–19, 22–23, 30, 34, 42, 46, 53, 55, 57, 59 and 61 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49

In Section 4 of the Office Action, claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Wise as applied to claims 1, 26, 38 and 50–51, and further in view of Cheah *et al.* (U.S. Patent No. 6,901,271; hereinafter referred to as “Cheah”).

Based on the foregoing discussion regarding independent claims 1, 26, and 38, and since claims 7, 9, 24–25, 32, 37, 44 and 49 depend from one of independent claims 1, 26, and 38, claims 7, 9, 24–25, 32, 37, 44 and 49 should be allowable over Elzur and Wise. Cheah was cited as disclosing a CDMA network connection and a wireless terminal connected to a network, and

sending and receiving information. However, Cheah fails to teach or suggest a wireless local loop telephony system that includes a network connection for connecting to a wireless wide area network, where the wireless wide area network provides access to a conventional telephone network and high-speed data access to the Internet. Therefore, since claims 7, 9, 24–25, 32, 37, 44 and 49 should be allowable over Elzur and Wise as discussed above, Elzur, Wise and Cheah, individually or in combination, fail to teach or suggest all the limitations of claims 7, 9, 24–25, 32, 37, 44 and 49. Claims 6, 31 and 43 have been canceled by this amendment.

Accordingly, it is submitted that the rejection of claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### §103 Rejection of Claim 11

In Section 5 of the Office Action, claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Wise, and further in view of Laity *et al.* (U.S. Patent No. 6,697,892; hereinafter referred to as “Laity”).

Based on the foregoing discussion regarding independent claim 1, and since claim 11 depends from independent claim 1, claim 11 should be allowable over Elzur and Wise. Laity was merely cited for disclosing a USB peripheral connection. Therefore, since claim 11 should be allowable over Elzur and Wise as discussed above, Elzur, Wise and Laity, individually or in combination, fail to teach or suggest all the limitations of claim 11.

Accordingly, it is submitted that the rejection of claim 11 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 14–15, 35, 47, 52, 54, 56, 58 and 60

In Section 6 of the Office Action, claims 14–15, 35, 47, 52, 54, 56, 58 and 60 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Wise, and in further view of Tidwell *et al.* (U.S. Patent No. 6,535,590; hereinafter referred to as “Tidwell”).

Based on the foregoing discussion regarding independent claims 1, 26, 38 and 50–51, and since claims 14–15, 35, 47, 52, 54, 56, 58 and 60 depend from one of independent claims 1, 26, 38 and 50–51, claims 14–15, 35, 47, 52, 54, 56, 58 and 60 should be allowable over Elzur and Wise. Tidwell was merely cited for disclosing a “a telephony system which may include a television or similar display devices, an interface device operable to transmit command signals, and processing unit connect able to the TV and a telephone network which provides for the receipt, processing, transmission and display of information.” *Tidwell, column 1, lines 43–48*. However, Tidwell fails to teach or suggest a wireless local loop telephony system that includes a network connection for connecting to a wireless wide area network, where the wireless wide area network provides access to a conventional telephone network and high-speed data access to the Internet. Therefore, since claims 14–15, 35, 47, 52, 54, 56, 58 and 60 should be allowable over Elzur and Wise as discussed above, Elzur, Wise and Tidwell, individually or in combination, fail to teach or suggest all the limitations of claims 14–15, 35, 47, 52, 54, 56, 58 and 60.

Accordingly, it is submitted that the rejection of claims 14–15, 35, 47, 52, 54, 56, 58 and 60 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 20–21

In Section 7 of the Office Action, claims 20–21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Wise, and further in view of Reed *et al.* (U.S. Patent No. 6,275,707; hereinafter referred to as “Reed”).

Based on the foregoing discussion regarding independent claim 1, and since claims 20–21 depend from independent claim 1, claims 20–21 should be allowable over Elzur and Wise. Reed was merely cited for disclosing a method and apparatus for assigning location estimates using precision differential GPS. Therefore, since claims 20–21 should be allowable over Elzur and Wise as discussed above, Elzur, Wise and Reed, individually or in combination, fail to teach or suggest all the limitations of claims 20–21.

Accordingly, it is submitted that the rejection of claims 20–21 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment and the allowance of this application with claims 1–5, 7–30, 32–42 and 44–61 are respectfully solicited.

With regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes



were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.


The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-2075.

Respectfully submitted,

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By: \_\_\_\_\_

  
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